

Withdrawn
April 25, 1972

W *cut*

BILL NO. *72-04-12*

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending Sections 3 through 6, each inclusive, of Chapter 35 of the Fort Wayne Municipal Code, pertaining to the control of weeds, noxious plants, and rank vegetation and transferring certain duties in connection therewith from the Police Department and Board of Public Works to the Board of Health.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. Sections 3 through 6, each inclusive, of Chapter 35 of the Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended, is hereby amended to read as follows:

Section 3.

At least once during each of the months of May, June, July, August, September and October of each year it shall be the duty of every person to cut, and remove from any premises owned, leased or occupied by such person, weeds, noxious plants and/or rank vegetation.

Section 4.

Enforcement. It shall be the duty of the Board of Health to enforce the provisions of this Chapter. Upon receipt of any complaint respecting a violation, or upon discovery of any violation, the Board of Health shall immediately give notice to the person who is the owner, lessee or occupant of such premises in writing to comply with the provisions of this Chapter within five days from the day of receipt of notice. Notice shall be given by certified or registered mail with return receipt requested and returned showing receipt of the notice or by leaving a copy of the notice with the owner, lessee or occupant of the real property to whom it is addressed. If the person to whom notice is given does not comply with the provisions of this Chapter within the time period specified, it shall be the duty of the Board of Health to arrest any such owner, lessee or occupant or to file an appropriate affidavit.

Section 5.

It shall be a misdemeanor for any owner, lessee or occupant who has received notice as herein provided to fail to cut and remove from the premises weeds, noxious plants and/or rank vegetation within five days from the receipt of notice. Upon conviction, any such

owner, lessee or occupant shall be fined not less than \$10.00 nor more than \$300.00.

Section 6.

Upon the request of the Board of Health, it shall be the duty of the Board of Public Works to cut and remove all weeds, noxious plants or other rank vegetation in all cases in which the owner, lessee or occupant of the premises neglects or refuses to do so. In cases in which such work is performed on property owned by the City, such work shall be performed at the expense of the City. In all other cases, the cost of such work shall be billed by the Board of Public Works to the owner of the property and such billing shall constitute a lien on such property until paid, provided that the City may foreclose on such lien for the collection of such cost at any time after 30 days from the date of first billing. The perfecting and foreclosure of said lien shall be accomplished in the same manner as the foreclosure of other liens in favor of the City created by ordinance.

SECTION 2. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.



Councilman

APPROVED AS TO FORM
AND LEGALITY.



CITY ATTORNEY

Read the first time in full and on motion by Kraus seconded by Stier and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____, 19____, at _____ o'clock P.M., E.S.T.

Date: _____

Charles W. Stier
CITY CLERK

Read the third time in full and on motion by _____ seconded by _____ and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit:
Burns	_____	_____	_____	_____	
Hinga	_____	_____	_____	_____	
Kraus	_____	_____	_____	_____	
Nuckols	_____	_____	_____	_____	
Moses	_____	_____	_____	_____	
Schmidt, D.	_____	_____	_____	_____	
Schmidt, V.	_____	_____	_____	_____	
Stier	_____	_____	_____	_____	
Talarico	_____	_____	_____	_____	

Date _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 19____.

ATTEST:

(SEAL)

CITY CLERK

John A. Stier
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____-at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____ m., E.S.T.

MAYOR

Bill No. G-72-04-12

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending Sections 3 through 6, each inclusive, of Chapter
35 of the Fort Wayne Municipal Code, pertaining to the
control of weeds, noxious plants, and rank vegetation and
transferring certain duties in connection therewith from the
Police Department and Board of Public Works to the Board
of Health.

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance Withdrew ^{pass.}

Eugene Kraus, Jr. Chairman

James S. Stier Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

Eugene Kraus
James S. Stier
William T. Hinga
Paul "Mike" Burns
Vivian G. Schmidt

WITHDRAWAL OF GENERAL ORDINANCE NO. G-72-04-12

On motion by Councilman _____, Bill No. G-72-04-12
seconded by -----

AN ORDINANCE amending Sections 3 through 6, each inclusive, of Chapter 35 of the Fort Wayne Municipal Code, pertaining to the control of weeds, noxious plants, and rank vegetation and transferring certain duties in connection therewith from the Police Department and Board of Public Works to the Board of Health

that this ordinance No. G-72-04-12 is hereby withdrawn for no further action by the Common Council of the City of Fort Wayne, on Bill No. G-72-04-12.

Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____	to-wit
Burns	✓	✓			
Hinga	✓				
Kraus		✓			
Nuckols	✓				
Moses		✓			
Schmidt, D.	✓				
Schmidt, V.	✓				
Stier	✓				
Talarico	✓				
Date	7	2			

CITY CLERK

ATTEST:

(SEAL)

CITY CLERK

PRESIDING OFFICER